



STANDARDS COMMITTEE

—Minutes—

07 NOVEMBER 2006

Members Present:

Mr. Christopher Troke (Chairman)
Councillor Nicholas Botterill
Councillor Donald Johnson
Councillor Lisa Homan

Officers in attendance:

Ross Chesterton, Corporate Fraud Manager
Lesley Courcouf, ACE (OD) & Monitoring Officer
Michael Cogher, Head of Legal Services
John Cheong, Committee Team Manager

ITEM		ACTION
Item 1	<u>MINUTES OF THE MEETING OF THE STANDARDS COMMITTEE HELD ON 18 JULY 2006</u>	
	<u>RESOLVED</u> - That the minutes of the meeting held on 18 July 2006 be agreed and signed as an accurate record.	ACE/JPC to note
Item 2	<u>APOLOGIES FOR ABSENCE</u>	
	Apologies for absence were received from Grace Moody-Stuart and Steven Moussavi.	ACE/JPC to note
Item 3	<u>DECLARATIONS OF INTEREST</u>	
	There were no declarations of interest made by members of the Committee at this meeting.	
Item 4	<u>COUNCIL'S WHISTLE-BLOWING PROCEDURE – UPDATE</u>	
	With Members' agreement, the Chairman varied the order of business to take this item of business first .	
	The report was introduced by Lesley Courcouf, Assistant Chief Executive & Monitoring Officer, and Ross Chesterton, Corporate	

Fraud Manager.

The appendix to the report outlined the Council's confidential reporting ("whistle-blowing") code, which had been promulgated to all Councillors, senior officers and staff in the organisation.

It was reported that since the last report to the Committee, there had only been two cases referred to the corporate unit for investigation – one case in HFHMS and the other, which was confidential at present, still on-going.

Members queried the reason for the very low referral rate. In response, they were advised by the Corporate Fraud Manager that the reasons were varied and complex - many lower profile cases were being dealt with locally; the pejorative nature of the term "whistle-blowing"; and the need to change the culture of the organisation to become pro-active and more aware of the seriousness of the issue. To achieve this end, the Corporate Fraud Unit was about to launch a new training initiative in the council which would address these all these issues using "live" examples where seemingly innocuous cases had led to the major uncovering of fraud.

Members queried the problems of convincing staff to report fraud in the first instance. Staff sometimes only felt confident enough to report fraud when they had already left the organisation, or only if they could have a guarantee of complete anonymity, especially if the matter went to trial. Ross Chesterton advised, that in such instances, it was possible for permission for a special hearing session to be sought.

It was agreed that changing the culture of the organisation to report fraud, however minor, was key. The Audit Commission had also begun to place greater emphasis on this aspect of a Council's governance procedures through the "Use of Resources" part of the CPA, so it was important that a culture-change occurred.

Ross Chesterton concluded the discussion by advising members that the service his unit provided was completely confidential, and informants were able to choose to meet off-site and even out of Borough if that made them feel more comfortable. Also all allegations, however trivial, were useful intelligence and could bear fruit if not immediately, then maybe in the future.

RESOLVED: That the report be noted.

Item 5 “BRIDGING THE GAP” – 5TH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

The Committee received an oral report and feedback from the Chairman (Mr.Troke) of the 5th Annual Standards Committees' Conference which had taken place in Birmingham on 16 & 17 October, and which he had attended on behalf of the authority.

The main thrust of the Conference had focussed on the new local investigation regime and the implementation of a local filter for future allegations of breach of the Code.

Mr.Troke informed the Committee that he had been in contact with the Standards Board, who had advised that DCLG would shortly be commencing a consultation on a revised Code of Conduct. It was hoped the revised Code, together with guidance from the Standards Board on thresholds to filter out trivial complaints, would be in place from May 2007, so it could be adopted at Council's Annual Meetings. Separate legislation for the devolution of powers to Local Authorities would be brought in during the summer of 2007, with the local filter fully operational by 2008. There would of course be resource implications for Monitoring Officers caused by the bringing in of the local filter, but no promises of additional funding for authorities to cover this aspect was given or made by DCLG.

It was anticipated the new Code would cover such aspects as:

- The re-definition of “personal interests”
- A new category of interest called “public service interest”
- Disclosure of confidential information in the public interest
- Bringing the council / office into disrepute
- Bullying
- Abolition of the duty to report breaches of the Code by other members

The Committee noted the Conference workshop paper on holding effective hearings, and also that the use of mediation was also being promoted by the Standards Board as another method of dealing with “local issue” cases rather than formal hearings.

As a new member to the Committee, Cllr.Homan requested sight of the SBfE training video sent to all Monitoring Officers, which was agreed.

ACE/LC to note and action

Mr.Troke asked, in his role as Chairman of the Committee, whether brief (5 minute) meetings could be arranged with the Leader of the Council, Leader of the Opposition, Chief Executive and Chief Internal Auditor so that he could introduce

himself to them and also raise the profile of the Committee, especially in anticipation of the local filter arrangements coming into being. This was unanimously agreed.

**ACE/LC & JPC
to note and
arrange**

In conclusion, Members commented that officers gave strong advice to members which helped them avoid many of the more common pitfalls, and that in both Party Groups, there was good group discipline. The lack of internal discipline in other authorities had caused significant problems, with many referrals being made to the Standards Board, but this was not an issue at LBHF.

RESOLVED:

That the report be noted.

Item 6 **WORK PROGRAMME**

Members noted the Committee's future work programme and asked that the Chairman's meeting with the Leader, Opposition Leader, Chief Executive etc be added to the January meeting date.

**ACE/JPC to note
& action**

Michael Cogher, Head of Legal, also asked that the DCLG consultation on the revised Code, and new Code training, also be added to the January date, which was agreed. (It was also agreed that if DCLG published the consultation exercise before the next meeting of the Committee, the details would be circulated to all members via email for comment)

**ACE/JPC to note
& action**

RESOLVED: Accordingly.

Item 8 **ANY OTHER BUSINESS**

None.

Meeting began : 7:00 pm

Meeting ended : 8:01 pm

CHAIR.....